UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,394	10/20/2003	Justin Monk	020375-043300US	3753

			EXAMINER
20350	7590	12/28/2005	HAVAN, THU THAO

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 November 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-6 and 8-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-6 and 8-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claims 1-2, 4-6, and 8-21 are pending. This action is in response to the

amendment received November 8, 2005.

Applicant's arguments with respect to claims 1-2, 4-6, and 8-21 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-2, 4-6, and 8-21** are rejected under 35 U.S.C. 102 (e) as being

anticipated by Hillmer et al. (US 6,714,918).

Re claim **1**, Hillmer teaches an account acquisition fraud management system

(col. 1, lines 53-67), the account acquisition fraud management system comprising:

a first analysis engine, wherein the first analysis engine is associated with a first

stored value product (col. 3, lines 29-35); *in other words, Hillmer pools information from*

different vendors to detect fraud transactions (i.e. stored value product);

a second analysis engine, wherein the second analysis engine is associated with

a second stored value product from a different issuer than an issuer of the first stored

value product (col. 3, lines 50-65); *a second analysis engine is when the individual*

vendor to reconfigure the system to reduce error rates; and

a cross monitor, wherein the cross monitor is operable to accept a first

transaction information from the first analysis engine about a first transaction with the

first stored value product and a second transaction information from the second analysis

engine about a second transaction with the second stored value product, wherein the

first transaction information is provided from the cross monitor to the second analysis

engine (col. 7, lines 7-28; col. 5, lines 3-39); *in other words, cross monitor in Hillmer is a*

fraudulent value scale; and

wherein the second analysis engine is operable to determine a transaction

velocity from the first and second transaction information, and stalling the second

transaction when the transaction velocity exceeds a velocity threshold (col. 6, lines 21-

65); *Hillmer teaches a pool of issuers (i.e. vendors) halting a particular transaction if it*

reaches a predetermined threshold.

Re claim **2**, Hillmer teaches a computer readable medium accessible to the cross

monitor, wherein the computer readable medium includes the first transaction and the

second transaction information (col. 8, lines 23-67).

Re claims **4** and **8-11**, Hillmer teaches the first transaction information and the

second transaction information are selected from a group consisting of:

a physical address, a telephone number, a virtual address, and

a load source (col. 4, lines 38-51).

Re claims **5** and **12**, Hillmer teaches the cross monitor is further operable to maintain the first transaction information is a queue associated with an issuer of the second stored value card product (col. 9, line 50 to col. 10, line 48).

Re claim **6**, Hillmer teaches a method for detecting fraud in relation to stored value products (col. 3, lines 29-35), the method comprising:

receiving a first suspicious activity indication from a first issuer analysis engine, wherein the first issuer analysis engine is operable to monitor activities occurring in relation to a first plurality of stored value products associated with the first issuer (col. 11, line 67 to col. 12, line 13);

receiving a second suspicious activity indication from a second issuer analysis engine, wherein the second issuer analysis engine is operable to monitor activities occurring in relation to a second plurality of stored value products associated with a second issuer different from the first issuer (fig. 2B); *in other words, Hillmer discloses multiple vendors (i.e. issuers) monitor fraud activities by the fraudulent system.*

maintaining the first suspicious activity indication and the second suspicious activity indication in a global negative file (col. 7, lines 7-28; col. 8, lines 7-22); *a type of global negative file is an entity external to the vendor is a fraud detection service provider who provides fraud detection services to multiple vendors;*

receiving an activity request from the first issuer analysis engine, wherein he request includes a transaction information about a current transaction with one of the

first plurality of stored value products associated with the first issuer (col. 9, line 21 to

col. 10, line 58);

based at least in part on the transaction information, accessing the global

negative file (col. 8, lines 7-22);

calculating a transaction velocity based on the transaction information, and the

first and second suspicious activity indication in the global negative file (col. 11, lines 1-

67); and

providing a response, wherein the response indicates whether the current

transaction exceeds a velocity threshold (col. 12, lines 14-49).

Re claim **13**, Hillmer teaches the response includes at least two of the following:

a data of the suspicious behavior, a funding account number, a denial reason, a review

status, and a reviewer note (col. 14, lines 10-65).

Re claim **14**, Hillmer teaches the response includes an indication of related

accounts (col. 13, lines 17-34). *Correspondingly, Hillmer checks related accounts of*

customers for fraudulent activities.

Re claim **15**, Hillmer teaches the response is a first response associated with a

first account, wherein the global negative file indicates a second account associated

with the first account, and wherein the method further comprises: providing a second

response to the second issuer associated with the second account (col. 8, lines 7-67).

Re claim **16**, Hillmer teaches a system for suppressing fraudulent activity in

relation to account acquisition (col. 13, lines 3-16), the system comprising:

a first load monitor associated with a first issuer (col. 3, lines 29-35); *in other words, Hillmer pools information from different vendors to detect fraud transactions (i.e. stored value product);*

a second load monitor associated with a second issuer (col. 3, lines 50-65);

a first enrollment monitor associated with the second issuer (figs. 2a-3a); and

a cross monitor, wherein the cross monitor is operable to assemble information from the first load monitor or first enrollment monitor, and the second load monitor or second enrollment monitor with a transaction using a first stored value product, and wherein the cross monitor is operable to determine a transaction velocity for the transaction using the information, and communicate the transaction velocity to both the first issuer and the second issuer (col. 7, lines 7-28; col. 5, lines 3-39).

Re claim **17**, Hillmer teaches a request to load value on a stored value product associated with the first issuer is processed at least in part by the first load monitor (col. 6, lines 37-65).

Re claim **18**, Hillmer teaches first load monitor is operable to apply a velocity check on a load request (fig. 2a). Hillmer discloses internal and external check.

Re claim **19**, Hillmer teaches first load monitor is further operable to compare the velocity with a predefined velocity limit (col. 6, lines 21-36). *Correspondingly, Hillmer discloses a check to see if the value of the commodities is valid.*

Re claims **20-21**, Hillmer teaches first load monitor is operable to provide a detected suspicious activity to the cross monitor (col. 11, line 55 to col. 12, line 50).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sachs, US patent no. 6,240,397

Cook, US patent no. 5,895,453

Spector, US patent no. 5,870,718

Christensen et al., US patent no. 5,710,886

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (703) 605-0200. The examiner can normally be reached on Monday-Friday from 9:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct-uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH
12/15/2005

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600